

REMARKS

Applicants acknowledge receipt of the Examiner's Office Action dated July 20, 2006.

All claims pending at that time were rejected. In light of the foregoing amendments and following remarks, Applicants respectfully request the Examiner's reconsideration and reexamination of all pending claims.

The Office Action rejected independent claims 1, 6, 12, and 17 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. US 2005/0154845 filed by David M. Shackelford et al. ("Shackelford"). Shackelford relates to a method for maintaining consistency for a remote copy using virtualization. The Office Action equates Shackelford's virtualized mirror in Fig. 1 with claim 1's second storage object. Applicants have amended independent claim 1 to indicate that the second storage object is created as a virtual snapshot of the first storage object. Applicants assert that one of ordinary skill in the art will recognize a patentable difference between claim 1's "snapshot" and Shackelford's "mirror." In general, a snapshot is point-in-time copy of a data object. The snapshot copy is not subsequently updated as the data object is updated. In contrast, a mirror of a data object is updated as the data object is updated so that the mirror remains an identical copy to the data object. Given the distinction between Shackelford's mirror and claim 1's snapshot, Applicants assert that independent claim 1 is patentably distinguishable over the cited sections of Shackelford.

The remaining independent claims 6, 12, and 17 have been amended along the same or similar lines as those to independent claim 1. For the same or similar reasons that independent claim 1 is patentably distinguishable over Shackelford, Applicants assert that independent claims 6, 12, and 17 are likewise patentably distinguishable.

### CONCLUSION

Applicants submit that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia, 22313-1450, on October 18, 2006.

  
Attorney for Applicants

10/18/06  
Date of Signature

Respectfully submitted,

  
Eric A. Stephenson  
Attorney for Applicants  
Reg. No. 38,321  
Telephone: (512) 439-5093  
Facsimile: (512) 439-5099